

FINDINGS OF FACT AND CONCLUSIONS OF LAW
WILDBRANCH COMMERCIAL SUBDIVISION
FILE NO. PP-25-04/FP-25-10

The above-entitled Preliminary Plat and Final Plat application came before the Star City Council for their action on October 7, 2025, at which time public testimony was taken, and the public hearing was closed. The Star City Council, having requested and taken oral and written testimony, and having duly considered the matter, does hereby make the following Findings of Fact and Conclusions of Law.

Procedural History:

A. Project Summary:

The Applicant is requesting approval of a Preliminary and Final Plat (PP-25-04/FP-25-10) for a proposed commercial subdivision consisting of 4 lots. The property is located at 342 S. Calhoun Place in Star, Ada County, Idaho, and consists of 11.38 acres. The subject property is generally located on the south side of Hwy 44, west of Hwy 16. Ada County Parcel No. S0416120900.

B. Application Submittal:

A neighborhood meeting was held on May 20, 2025, in compliance with the application submittal requirement of the Star Unified Development Code (Section 8-1 A-6 C). The Land Use application was deemed complete on July 1, 2025.

C. Notice of Public Hearing:

Notice of Public Hearing on the application for the City of Star Council was published in accordance with the requirements of Title 67, Chapter 65, Idaho Code and the Star Unified Development Code on September 20, 2025. Notice of this public hearing was mailed to property owners within three-hundred feet (300') of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Star Unified Development Code on September 17, 2025. Notice was sent to agencies having jurisdiction in the City of Star on July 22, 2025. The property was posted in accordance with the Star Unified Development Code on September 24, 2025.

D. History of Previous Actions:

City Council approved a rezone of this property from C-1 to C-2 on September 20, 2022.

On April 4, 2017, the Council approved a rezone of the property from Rural Transition (RT) to C-1-DA (Ord 258).

From the records that are available, it appears that the property was originally annexed into the City sometime around 2009.

E. *Comprehensive Plan Land Use Map and Zoning Map Designations:*

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Commercial (C-2-DA)	Commercial	Staging for Hwy 16 Construction
Proposed	Mixed-Use (MU)	Commercial (C-2)	Commercial
North of site	Mixed-Use (MU) Rural Urban Transition (RUT)	ITD/ACHD ROW (Hwy 16 & 44)	Highway 44
South of site	Light Industrial (LI)	High Density Residential	Star Crest Apartments
East of site	Rural Urban Transition (RUT)	Commercial/Industrial Corridor	Highway 16
West of site	Rural Urban Transition (RUT)	Commercial/Compact Residential	Edgefield Senior Housing

F. *Development Features.*

PRELIMINARY/FINAL PLAT:

The preliminary/final plat submitted contains four (4) commercial lots for future development. The commercial lots will be 3.40, 2.15, 2.90, and 2.93 acres in size respectively. The lots will be serviced with central sewer and water provided by the Star Sewer and Water District. Lots 2, 3, and 4 have frontage on S. Calhoun Place. Lot 1 will need cross-access agreements or a private drive to access the lot if developed as platted.

ADDITIONAL DEVELOPMENT FEATURES:

- Lighting
Streetlights/parking lot and building lights shall reflect the "Dark Sky" criteria and be downward facing only. The same streetlight design shall continue throughout the entire development. **The applicant has not submitted a lighting plan or design for approval. Because this is a commercial subdivision with future uses yet to be determined, the applicant shall provide a streetlight design/cut to Staff and receive approval during the Certificate of Zoning Compliance process once specific uses are proposed.**

- Landscaping - As required by the Unified Development Code, Chapter 8, Section 8-8C-2-M (2) Street Trees; A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code. Section 8-8C-2, J5 states that a minimum of one deciduous shade tree per four thousand (4,000) square feet of common area shall be provided. **The Applicant has not submitted a landscape plan for approval. Because this is a commercial subdivision with future uses yet to be determined, the applicant shall provide a landscape plan and receive approval during the Certificate of Zoning Compliance process once specific uses are proposed.**
- Setbacks – The Applicant has not requested any set back waivers, and the C-2 setbacks will be applied to the development.
- Mailbox Cluster – **The Applicant shall work with the Star Postmaster on approval for mail delivery boxes/cluster. Because this is a commercial subdivision with future uses yet to be determined, the applicant shall provide approval from the postmaster on the location of mailboxes during the Certificate of Zoning Compliance process once specific uses are proposed.**
- Subdivision Name – The Applicant has provided approval from Ada County for the proposed subdivision name. Documentation is included in the application packet.

H. *On-Site Features:*

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No evidence.
- ✧ Fish Habitat – No.
- ✧ Floodplain – Yes.
- ✧ Mature Trees – None.
- ✧ Riparian Vegetation – No.
- ✧ Steep Slopes – No.
- ✧ Stream/Creek – None.
- ✧ Unique Animal Life – No unique animal life has been identified.
- ✧ Unique Plant Life – No unique plant life has been identified.
- ✧ Unstable Soils – No known issues.
- ✧ Historical Assets – No historical assets have been observed.
- ✧ Wildlife Habitat – No known sensitive wildlife habitat observed.

I. *Agencies Responding:*

The following agencies responded, and correspondence was attached to the staff report.

Central District Health Dept.
DEQ
ACHD
COMPASS
ITD

August 11, 2025
July 28, 2025
September 10, 2025
September 12, 2025
August 5, 2025

J. Staff received the following letters & emails for the development:

No public comments have been received on this application.

K. ***Comprehensive Plan and Unified Development Code Provisions:***

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Commercial

Suitable primarily for the development of a wide range of commercial activities including offices, retail, and service establishments. Rezoning to this designation should not be allowed unless adequate ingress/egress to major transportation corridors are assured. Light industrial uses may be considered at the discretion of the City Council without amending this plan.

8.3 Goal:

Encourage the development of a diverse community that provides a mix of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible, an assortment of amenities within walking distance of residential development.

8.4 Objectives:

- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.
- Encourage commercial development that is consistent with a family friendly feel, not overburdening the community with bog box and franchise uses and

discourage the development of strip commercial areas.

8.5.6 Policies Related Mostly to the Commercial Planning Areas:

- A. Assist in the provision of coordinated, efficient, and cost-effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Star's role as the urban core while protecting existing property rights.

Encourage commercial facilities to locate on transportation corridors.

Locate neighborhood services within walking distance to residential development.

Discourage the development of strip commercial areas.

Maintain and develop convenient access and opportunities for shopping and employment activities.

Commercial areas of five acres or less should be encouraged in residential land use designations with appropriate zoning to allow for commercial services for residential neighborhoods and to limit trip lengths. Such commercial areas should be submitted for approvals with a Conditional Use Permit or Development Agreement to assure that conditions are placed on the use to provide for compatibility with existing or planned residential uses. These areas should be oriented with the front on a collector or arterial street.

Allow for some light industrial uses within the Commercial areas at the sole discretion of the City Council.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4 (CHD4), and Idaho Department of Transportation (ITD) for better coordination of roadway and access needs.
- Support well-planned, pedestrian-friendly developments.
- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.

UNIFIED DEVELOPMENT CODE:

8-1E-1: TERMS DEFINED:

COMMERCIAL USE: An occupancy of a building, structure or other property which involves any retail sale, wholesale distribution, office, entertainment service, recreational area, restaurant, room for rent, manufacturing, hybrid production facility or other nonresidential use. However, this definition shall not include home occupations, churches, public schools, hospitals, public civic centers or public recreation facilities, or other facilities owned by, or operated strictly for the benefit of the public.

8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED:

(C-2) **GENERAL COMMERCIAL DISTRICT:** To provide for the establishment of areas for commercial uses allowed in other commercial zones and commercial uses which are more intensive than those permitted in other commercial zones, and typically located adjacent to arterial roadways and not immediately adjacent to residential, including the establishment of areas for travel related services such as hotels, motels, service stations, drive-in restaurants, offices, limited warehousing, commercial services and retail sales.

(DA) **DEVELOPMENT AGREEMENT:** This designation, following any zoning designation noted on the official zoning map of the city (i.e., C-2-DA), indicates that the zoning was approved by the city with a development agreement, with specific conditions of zoning.

8-3A-4: ZONING DISTRICT DIMENSIONAL STANDARDS:

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front ⁽¹⁾	Rear	Interior Side	Street Side
C-2	35'/60' ⁵	20'	5'	0' ⁴	20'

Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhanging onto the sidewalk.
2. Zero-Lot-Line, reduced street side yard setbacks and reduced front and rear setback waivers may be requested through the Development Agreement process. All other side yard setback requests for detached structures shall not be granted waivers, unless approved by Council as part of a Planned Unit Development.

3. All setbacks in the CBD, C-1, C-2, LO, LI, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone. A waiver may be requested if the adjacent property has the potential to redevelop as a non-residential use in the future.
4. As approved by the Fire District.
5. 35' height requirement unless a height exception is approved by Council through the Conditional Use Permit or Planned Unit Development Process.

8-6A-5: COMBINED PRELIMINARY AND FINAL PLAT PROCESS:

A. Applicability: A subdivision application may be processed as both a preliminary and final plat if all the following exist:

1. The proposed subdivision does not exceed five (5) lots (excluding common and/or landscaping lots); or a previous plat was approved on the subject property; and
2. No new public street dedication, excluding widening of an existing street, is required (private streets are ok); and
3. No major special development considerations are involved, such as development in a floodplain or hillside development.

B. Preapplication Conference: The applicant shall complete a preapplication conference with the administrator prior to submittal of an application for a combined preliminary and final plat. The purpose of this meeting is to discuss early and informally the purpose and effect of this title, and the criteria and standards contained herein.

C. Neighborhood Meeting: Applicants are required to hold a neighborhood meeting, in conformance with Section 8-1A-6C, to provide an opportunity for public review of the proposed project prior to the submittal of an application. The applicant shall provide a summary of the meeting, including questions and concerns of the neighbors and how the submitted application addresses those issues.

D. Application Requirements: Applications and fees, in accord with subsection 8-6A-3 of this article shall be submitted.

E. Contents of Final Plat: The final plat shall include all items required in subsection 8-6A-4B of this article or any additional items required by the Administrator.

F. Decision: A decision on a combined preliminary and final plat is made by the city council.

8-6A-7: REQUIRED FINDINGS:

In consideration of a preliminary plat or combined preliminary and final plat, the decision-making body shall make the following findings:

- A. The plat is in conformance with the comprehensive plan;

- B. Public services are available or can be made available and are adequate to accommodate the proposed development;
- C. There is public financial capability of supporting services for the proposed development;
- D. The development will not be detrimental to the public health, safety or general welfare; and
- E. The development preserves significant natural, scenic or historic features.

8-6A-8: TERM OF APPROVALS:

A. Failure to Submit Final Plat: Approval of a preliminary plat or combined preliminary and final plat or short plat shall become null and void if the applicant fails to obtain city engineer signature of a final plat within two (2) years of the approval of the preliminary plat (signed findings of fact. Minor land divisions shall be recorded within one year of approval.

B. Phased Development: In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of eighteen (18) months, may be considered for final approval without resubmission for preliminary plat approval.

C. Authorize Extension: Upon written request and filed by the applicant prior to the termination date of the period in accord with subsection A of this section, the administrator may authorize a single extension of time to record the final plat not to exceed twenty-four (24) months. Additional time extensions up to twenty-four (24) months as determined and approved by the city council may be granted. Submittal of a Council approved time extension request shall be a minimum of 30 days prior to the expiration date. With all-time extensions, the administrator or city council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of this title.

D. Failure to Meet Timetable: If the above timetable is not met and the applicant does not receive a time extension, the property may be required to go through the platting procedure again, as determined by the administrator.

8-6A-7: PRELIMINARY PLAT FINDINGS:

1. The plat is in conformance with the Comprehensive Plan;
The Council finds that the Preliminary Plat, as originally submitted and accepted meets all requirements associated with Section 8-6A-3 of the UDC and is consistent with the Comprehensive Plan and will meet the intent of the Land Use designation. Further, the property is required to develop under the guidelines of the Comprehensive Plan and requirements of the Unified Development Code.

2. Public Services are available or can be made available and are adequate to accommodate the proposed development;
The Council finds that Agencies having jurisdiction on this parcel were notified of this action. The City has not received notice that public services are not available or cannot be made available for this development. Emergency services were reviewed, and mitigation fees will be required to serve the Police Department and Star Fire District.
3. There is public financial capability of supporting services for the proposed development;
The Council finds that the City has not received notice from any jurisdictional agency that there are any problems with public financial capability for this development.
4. The development will not be detrimental to the public health, safety or general welfare;
The Council finds that the City has not been made aware of any known detriment that will be caused by this development. Commercial uses are a permitted use and are compatible with other uses in the immediate area.
5. The development preserves significant natural, scenic or historic features;
The Council finds that there are no known natural, scenic, or historic features that have been identified with this Preliminary Plat. The property has been in previous agricultural production.

Public Hearing of the Council:

- a. A public hearing on the application was heard by the City Council on October 7, 2025, at which time testimony was heard, and the public hearing was closed. The City Council made their decision at that time.
- b. Oral testimony (In-favor, Against or Neutral) regarding the application was presented to the City Council by:
 - Shawn L Nickel, City Planning Director gave Staff Presentation
 - David Bailey
 - Matt Riggs
- c. Public sign-ins that did not testify (Against or Neutral):
 - None
- d. Written testimony in favor of or opposing the application was presented to the City Council at the hearing by:
 - None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed preliminary plat and final plat application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in review of the record, including the staff report, and discussions on the platting of the development. Review and discussion included development layout, access and commercial uses. The Council accepted staff's recommended conditions of approval for the preliminary plat and final plat. Council added additional conditions of approval. Council concluded that the Applicant's request, as conditioned, meets the requirements and findings for a preliminary plat and final plat. Council hereby incorporates the staff report dated October 7, 2025 into the official decision as part of these Findings of Fact, Conclusions of Law.

Statement of Compliance:

Council finds the Applicant has met all requirements of the Unified Development Code and the intent and purpose of the Comprehensive Plan and Map requirements.

CONDITIONS OF APPROVAL

- 1. During the Certificate of Zoning Compliance process, the applicant shall complete the following:**
 - a. Provide Street Light designs for review and approval;**
 - b. Provide documentation from Postmaster on approval of location of mailbox clusters;**
 - c. Provide a landscape plan for review and approval;**
- 2. Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees. Applicant shall provide locations for the local street trees at the time of CZC. If driveway locations will not be determined until sale of the lot, Applicant agrees to not receive the Certificate of Occupancy until street trees are confirmed in place. The applicant shall provide a revised landscape plan showing all the required trees.**
- 3. All future commercial buildings will require approval from the Design Review Committee prior to building permits being issued.**
- 4. All future development shall be subject to a Certificate of Zoning Compliance review and approval prior to issuing building permits.**
5. The approved Preliminary/Final Plat for the Wildbranch Commercial Park Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
6. The subdivision shall meet all requirements of Ada County Highway District and Star Fire District.
7. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting.

8. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
9. The property associated with this approved Final Plat, in addition to the property of all future phases shall be properly maintained throughout the construction process to include trash picked up and trash receptacles emptied with regular frequency, streets swept and cleaned as needed, with regularity, including any streets used to access the property and all debris shall be prevented from accumulating on any adjacent property or public right of way and shall remove all debris from public way at least daily.
10. Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees to include one (1) tree per thirty-five (35) linear feet.
11. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
12. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
13. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
14. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met, including annexation into the District.
15. A plat note shall state that development standards for commercial development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
16. The mylar/final plat shall be signed by the owner, Surveyor, Health District, and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
17. All common areas shall be owned and maintained by the Homeowners Association.
18. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of construction.**
19. A sign application is required for any subdivision signs.
- 20. Any additional Condition of Approval as required by Staff and City Council.**

Council Decision:

The Council voted 3-0 to approve the Preliminary Plat and Final Plat for Wildbranch Commercial Subdivision on October 7, 2025.

Dated this 18th day of November 2025.

Star, Idaho

By: _____
Trevor A. Chadwick, Mayor

ATTEST:

Shelly Tilton, City Clerk